

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Alexander D. Neigum,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
BNSF Railway Company, a corporation,	)	
	)	Case No.: 1:06-cv-026
Defendant.	)	

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On May 18, 2007, the court conducted a telephone conference to address a discovery dispute between the parties. Attorneys Michael McReynolds and Michael Tello appeared on the Plaintiff's behalf. Attorney James Hill appeared on behalf of the Defendant.

Following a lengthy discussion, the parties agreed that a continuance of trial is warranted. Accordingly, the trial set for August 20, 2007, shall be rescheduled for April 21, 2008, at 9:30 a.m. in Bismarck, North Dakota, before Judge Hovland. A five (5) day trial is anticipated. The final pretrial conference set for August 7, 2007, is cancelled and shall be rescheduled for a date yet to be determined. The pretrial deadlines set forth in the court's scheduling/discovery order shall be suspended pending the submission of an amended scheduling/discovery plan. The parties are to e-mail their amended scheduling/discovery plan in "**WordPerfect**" or in "**Word**" format to the following e-mail address by June 18, 2007: <[ndd\\_J-Miller@ndd.uscourts.gov](mailto:ndd_J-Miller@ndd.uscourts.gov)>

**IT IS SO ORDERED.**

Dated this 18th day of May, 2007.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge